

CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 06/12/01

AGENDA ITEM 3

WORK SESSION ITEM

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: Utility Service Agreement 01-2 – John Clay (Applicant/Owner) – Authorize the City Manager to Execute a Utility Service Agreement for Sewer Service at 23885 Eden Avenue

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution which:

- 1) Authorizes the City Manager to execute a Public Street Improvement Agreement for the property located at 23885 Eden Avenue;
- 2) Directs staff to apply to the Local Agency Formation Commission (LAFCO) for approval of the Utility Service Agreement; and
- 3) Authorizes the City Manager to execute a Utility Service Agreement to provide sewer service for the property at 23885 Eden Avenue.

DISCUSSION:

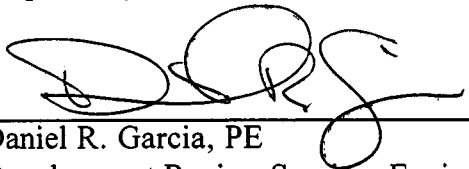
The subject property is located on Eden Avenue, north of Middle Lane. The Alameda County Health Care Services Agency has noted in the attached letter (Exhibit B) that the septic tank is in disrepair with sewage effluent surfacing on the ground and that the property should connect to the City's sanitary sewer main located in Eden Avenue.

Existing City policy allows parcels located in the unincorporated portion of the County to connect to the City sewer system when Alameda County determines an existing septic tank represents a public health risk. According to the County, such a risk exists with respect to the property at 23885 Eden Avenue.

Pursuant to City policy, the applicant has executed agreements committing to install frontage roadway improvements and tie-in pavement at a future date and agreeing to annex, if and when requested by the City.

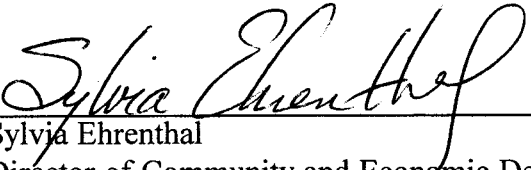
If the agreements are approved, the City will need to apply to LAFCO for approval of the utility service agreement. The applicant pays all LAFCO processing costs.

Prepared by:



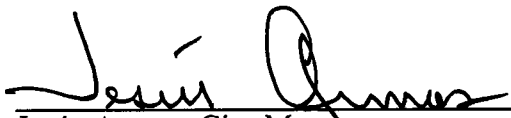
Daniel R. Garcia, PE
Development Review Services Engineer

Recommended by:



Sylvia Ehrenthal
Director of Community and Economic Development

Approved by:

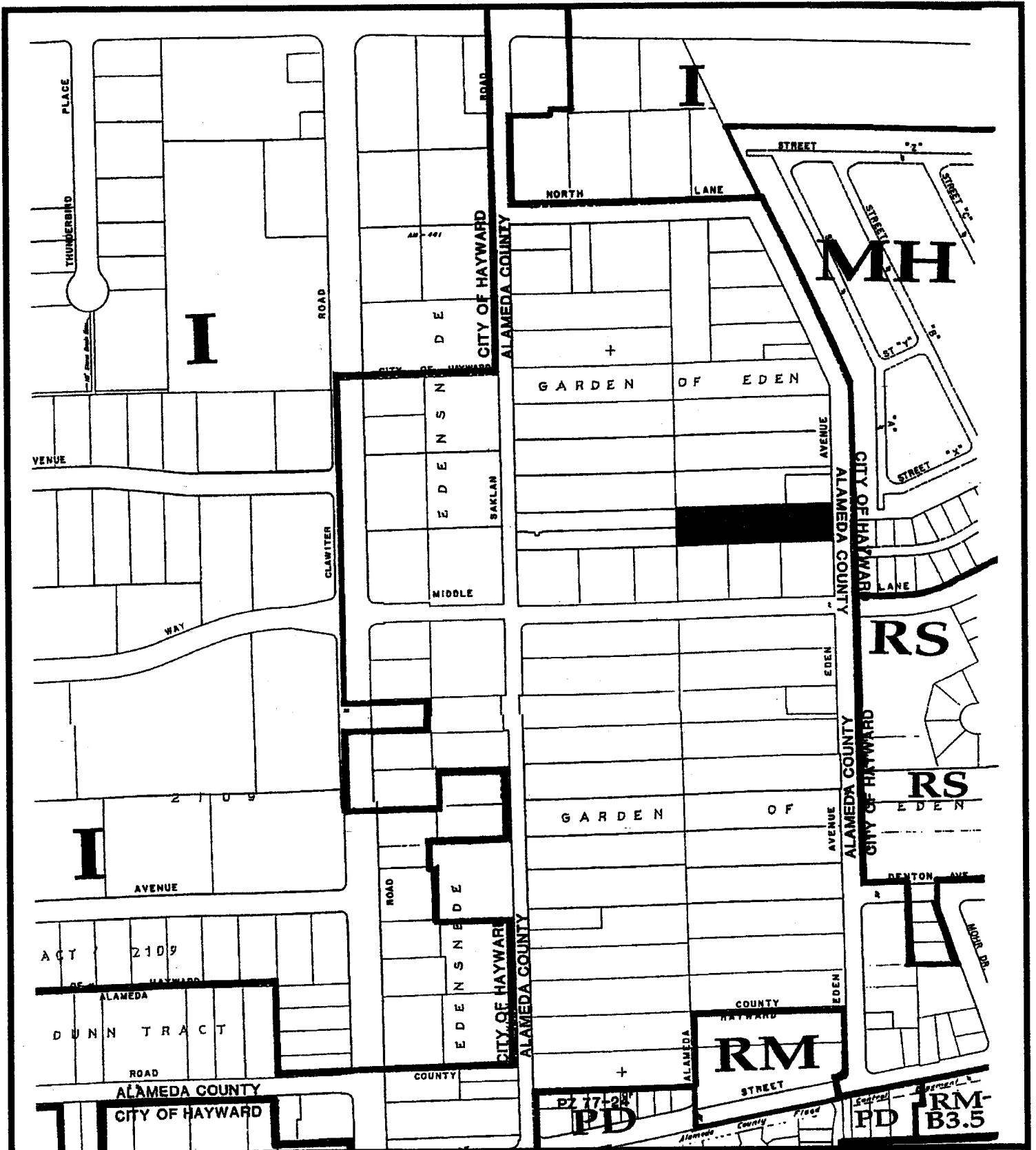


Jesús Armas, City Manager

Attachments:

Exhibit A	Area Map
Exhibit B	Letter from Alameda County Health Care Services Agency, dated December 20, 1999
	Draft Resolution

5.15.01



USA 01-2

Applicant/Owner: John Clay

Address: 23885 Eden Avenue

**ALAMEDA COUNTY
HEALTH CARE SERVICES**

AGENCY

DAVID J. KEARS, Agency Director



December 20, 1999

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700

Mr. John Clay
John Clay General Engineering
778 Marin Avenue
Hayward, CA. 94541-6158

Subject: Private Sewage Disposal System at 23885 Eden Ave., Hayward

Dear Mr. Clay:

On December 16, 1999 I met with you at the subject property. At this time I noted an exposed septic tank in disrepair. William Perry of the Alameda County Building Department in January 1999, observed the private sewage disposal system to be malfunctioning with sewage effluent surfacing on the ground, a clear potential public health problem.

The Hayward Sanitary sewer is within two hundred (200) feet of the property, therefore, this Department will not issue a permit to repair or replace the existing private sewage disposal system. You must secure the necessary permits from the Hayward City Building Department to connect to the sanitary sewer.

Should you have any question regarding this matter, please call me at (510) 567-6712.

Respectfully,

Joe R. Winchester
Senior Environmental Health Specialist

JRW/cdb

cc: Alameda County Building Dept.

DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION AUTHORIZING THE CITY MANAGER TO
EXECUTE A PUBLIC STREET IMPROVEMENT AGREEMENT
AND UTILITY SERVICE AGREEMENT 01-2 - JOHN CLAY
(APPLICANT/OWNER) FOR SEWER SERVICE AT 23885 EDEN
AVENUE AND DIRECTING STAFF TO APPLY TO THE
LOCAL AGENCY FORMATION COMMISSION (LAFCO) FOR
APPROVAL

BE IT RESOLVED by the City Council of the City of Hayward that the
City Manager is authorized and directed to execute a Public Street Improvement
Agreement and Utility Service Agreement Application No. 01-2 - John Clay
(Applicant/Owner) for sewer service at 23885 Eden Avenue, in a form to be approved by
the City Attorney.

BE IT FURTHER RESOLVED by the City Council that staff is directed to
apply to the Local Agency Formation Commission (LAFCO) for approval of the Utility
Service Agreement.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2001

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward